IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

WP(C).No. 26134 of 2007(J)

OS.302/2005 of MUNSIFF COURT, OTTAPPALAM

.....

PETITIONER:

S. SURESH KUMAR, S/O. SEENIAPPA THEVAR,
M/S. RAJALEKSHMI MATCH WORKS, MEENAMPATTI,
SIVAKASI TALUK.

BY ADV. SRI.T.KRISHNAN UNNI
SRI.C.DILIP

RESPONDENTS:

ALIKUTTY, S/O. ABIKAL INSAMDULLAH,
PROPRIETOR ABIKAL MATCH WORKS, KURUVATTUR,
OTTAPALAM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J.

W.P.(C).NO.26134 OF 2007-J

Dated this the 6th day of September, 2007.

JUDGMENT

This writ petition is preferred to direct the Munsiff, Ottapalam, to issue a certified copy of the order in I.A.No.740/2007 and I.A.No.741/2007 in O.S.No.302/2005 and to stay further proceedings in E.P.No.11/2007 of the Munsiff Court, Sivakasi. It is the case of the writ petitioner that he was a defendant in the suit and that suit happened to be decreed ex-parte without notice to him and therefore, he moved an application for setting aside the ex-parte decree. It is submitted that it has ended in dismissal.

2. In order to enable the party to resort to the appellate remedy, I direct the Munsiff, Ottapalam, to issue a certified copy of the order within a period of two weeks and further direct that further proceedings in E.P.No.11/2007 of Munsiff Court, Sivakasi, be stayed for a period of three weeks so as to enable the writ petitioner to take appropriate steps.

The writ petition is disposed of as above.

M.N. KRISHNAN, JUDGE.

cl